

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTOPHER R. GRAHAM, SR.,	:	Civil No. 3:20-cv-595
	:	
Plaintiff	:	(Judge Mariani)
	:	
v.	:	
	:	
E. BRADLEY, <i>et al.</i> ,	:	
	:	
Defendants	:	

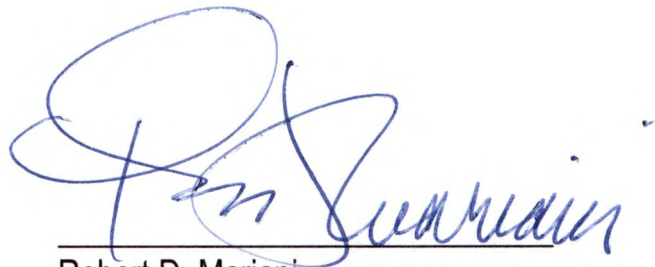
**ORDER**

**AND NOW**, this 9<sup>th</sup> day of March, 2021, upon consideration of Defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and for summary judgment pursuant to Federal Rule of Civil Procedure 56 (Doc. 20), and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The motion (Doc. 20) is **GRANTED**.
2. Defendants' Rule 12(b)(6) motion is **GRANTED** as follows:
  - a. The FTCA professional negligence claim is **DISMISSED**
  - b. The claims against Defendants Bradley and Eckert in their official and individual capacities are **DISMISSED**.
  - c. The First Amendment retaliation claim is **DISMISSED**.
3. Defendants' Rule 56 motion is **GRANTED** as follows:
  - a. Summary judgment on the Eighth Amendment medical care claim against Defendants Dr. Sommer, Dr. Mowatt, PA-C Carey, PA-C Walters, and PA-C Kaiser is **GRANTED**. The Clerk of Court is

directed to **ENTER** judgment in favor of Defendants Dr. Sommer, Dr. Mowatt, PA-C Carey, PA-C Walters, and PA-C Kaiser and against Plaintiff.

4. Plaintiff's second motion (Doc. 13) for leave to proceed *in forma pauperis* is **DISMISSED**.
5. The Clerk of Court is directed to **CLOSE** this case.
6. Any appeal from this Order is **DEEMED** frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

A handwritten signature in blue ink, appearing to read "Robert D. Mariani", is written over a horizontal line.

Robert D. Mariani  
United States District Judge